

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
(Charlotte Division)

In re:)	Chapter 7
)	
Applied Machinery Rentals, LLC)	Case No. 23-30461
)	
Debtor.)	

EX PARTE MOTION TO CONDUCT RULE 2004 DISCOVERY

Cole Hayes, Trustee for the estate of the above captioned Chapter 7 bankruptcy (the “Trustee”), requests the Court enter an order permitting the Trustee to serve document subpoenas on entities that appear as representatives of parties asserting blanket liens on all the Debtor’s assets. In support thereof, the Trustee respectfully asserts the following:

1. On the Petition Date, the Debtor owned significant machine and parts inventory.
2. Based on a search of the South Carolina Secretary of State’s UCC data base, only four entities claim blanket liens that would encumber all assets of the Debtor. Of those, only one entity, Woodforest National Bank, listed the actual creditor claiming the lien.
3. The remaining three appear on the applicable UCC-1 Financing Statements attached as Exhibits 1, 2, and 3 through corporate representatives: Corporation Service Company and CT Corporation System.
4. In order to liquidate the Debtor’s assets—particularly its inventory—the Trustee must know whether there are legitimate liens on the same. The Trustee is unable to make this determination at this time due to Corporation Service Company and CT Corporation System being listed as the secured parties.
5. The Trustee requests to serve document subpoenas on Corporation Service Company and CT Corporation System to determine the creditors alleging the liens described in the attached UCC-1 Financing Statements.
6. The Trustee further requests that the Court shorten the time to respond to the subpoenas to fourteen days notwithstanding the newly enacted Local Rule requiring at least twenty-one days in which to produce any responsive documents. Given the limited information to be requested, shortening the deadline should impose no undue hardship on the recipients of the subpoenas.

WHEREFORE, the Trustee requests that the Court enter an order pursuant to Bankruptcy Rule 2004 authorizing the relief requested herein, and for such other relief as the Court deems just and proper.

Dated: Charlotte, North Carolina
July 27, 2023

/s/ Cole Hayes
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